



American Families United

**Statement of
Edgar Falcon
President
American Families United**

**for
House Committee on the Judiciary
Subcommittee on Immigration and Citizenship**

**Hearing “‘Why Don’t They Just Get in Line?’ Barriers
to Legal Immigration”**

April 28, 2021

Thank you Subcommittee Chair Zoe Lofgren (D-CA), Ranking Member Tom McClintock (R-CA), and members of the House Judiciary Committee Subcommittee on Immigration and Citizenship for the opportunity to submit this written statement in support of the American Families United Act, which would address barriers to legal immigration for spouses and children of U.S. citizens.

As an El Paso constituent and as president of American Families United, which represents U.S. citizens who have married foreign nationals, I would like to thank Congresswoman Veronica Escobar (D-TX) for her continued leadership on this issue. I would also like to thank Congressman David Valadao (R-CA).

I grew up in El Paso, graduated from the University of El Paso with a BA in Kinesiology, and continue to work in the community as an educator. Eight years ago, I married my wife on the US-Mexico border. This is as close as she has ever been to living with me in the United States. She was denied a visa because at the age of 14 years, she was taken to a port of entry where an adult said she was a U.S. citizen.

Often immigration workers and judges can balance issues such as these against mitigating factors. In our case, there is no way forward. Her inadmissibility is permanent with no waiver.

My story is just one of many separations, due to many inadmissibilities under the law. 1.3 million U.S. citizens are part of a family that has already been separated due to the refusal of a spousal visa or the removal of a U.S. citizen's spouse from the country. Another 2.7 million U.S. citizens fear separation for this reason.

The American Families United Act would allow U.S. citizens to request a case-by-case waiver for their foreign national spouse or child for many inadmissibilities. The bill would not abolish those inadmissibilities. Judges and others authorized to hear immigration cases would not have the discretion to reunite families if the foreign national is a security threat or has a history of serious criminal activity.

In a poll of registered voters conducted last week, SurveyUSA found strong support for the American Families United Act across all regions and demographics. Democrats support by a margin of 10:1; Republicans support by 4:1; Independents support by 5:1.

This statement includes an appendix for each state represented by a member of this subcommittee with estimates of the U.S. citizens impacted statewide, personal stories, and poll numbers. It concludes with an appendix of national estimates, stories, and polling results.

Thank you for your time and consideration. I hope that you will be able to positively report this bill.

Sincerely,
Edgar Falcon



Arizona

Impacted U.S. Citizens: 92,000

Personal Story

Dr. Sherrie Licon, an administrator at college in Arizona, has been married to her husband since 2009. She and her daughters live with the fear and anxiety that their husband and father could be ripped away from them at any time. Due to harsh immigration laws, the family has no options to move his immigration process forward and face living in immigration limbo as a mixed-status family for the rest of their natural lives.

Polling

We commissioned a poll with SurveyUSA in April 2021 and asked registered voters in the state if they support or oppose the American Families United Act.

Not Sure	Strongly Oppose	Oppose	Neutral	Support	Strongly Support
3%	4%	15%	24%	43%	11%



California

Impacted U.S. Citizens: 954,000

Personal Stories

Ariana Gonzalez Chavez from San Jose, California is an American citizen and constituent of Congresswoman Zoe Lofgren. Like many families in our community, her family has struggled with the fear of family separation due to immigration issues for years. The American Families United Act would provide a path of reunification for family members married to American citizens and an opportunity to keep her family united, allowing them to be able to pursue and fulfill the American dream.

Elizabeth Jaimes, of Bakersfield, California, married her husband 20 years ago. She has been struggling to get his permanent residence ever since, despite seeing many lawyers. She and her husband have four children together, three living.

Edward Americano, an American citizen and hardworking family man from Hayward, California, is living through family separation because of immigration bars. He went to ‘the back of the line’ to adjust his wife’s immigration status, but she did not qualify. She has lived outside the country with our four young American children for years. The American Families United Act would help families, like Edward’s, by providing a pathway to reunification for those married to American citizens.

Patricia Gutierrez, from Bloomington, California, grew up in San Diego, California. When she met her husband, there was an interior border patrol checkpoint in between where she lived and where he lived. When she married, she had to move to where her husband lived. She is unable to travel freely to visit her family with her husband. She and her children are U.S. citizens living in the shadows.

Alvaro Escobedo, of Valley Center, California, married his wife at the age of 20 and they have been together for 20 years. He now has three U.S. born children and, after all this time, his wife has not been able to fix her status in the U.S., without facing a bar that would separate her from Alvaro and their children. It has been a very challenging journey for all of them and they have faced adversity in the hope that they can one day have the freedom and liberty that tax paying, U.S. citizens deserve.

Mirtha Arriaga, a U.S. citizen from Maywood, California and her foreign national husband are parents to children with special needs. Her husband would receive a 10 year immigration ban if he tried to adjust his immigration status. Mirtha relies on support and services for her children that are only available to them in the U.S., and if her husband was not allowed to remain in the U.S. with her, she would be facing a decade of separation without her husband's support, which would result in extreme hardship for both her children and herself.

Polling

We commissioned a poll with SurveyUSA in April 2021 and asked registered voters in the state if they support or oppose the American Families United Act.

Not Sure	Strongly Oppose	Oppose	Neutral	Support	Strongly Support
14%	4%	8%	12%	25%	36%



Colorado

Impacted U.S. Citizens: 66,000

Personal Stories

Ed Markowitz, a U.S. Navy veteran from Lakewood, Colorado, has had to live abroad for the past 10 years to keep his family semi-intact. His wife is barred from entry into the U.S. due to an entry violation. Their minor U.S. citizen son is being raised in a foreign setting while they remain separated from their other two sons, who are U.S. permanent residents.

Beth Capriz, from Centennial, Colorado, spent over 5 years separated from her husband while she applied for a hardship waiver that would allow her husband to return to the U.S. Had there been an opportunity to plead the case before a judge, in which the judge had the ability to review her husband's background and use his discretion based on a character review, she could have avoided an agonizing separation.

Polling

We commissioned a poll with SurveryUSA in April 2021 and asked registered voters in the state if they support or oppose the American Families United Act.

Not Sure	Strongly Oppose	Oppose	Neutral	Support	Strongly Support
2%	5%	6%	25%	48%	14%



Indiana

Impacted U.S. Citizens: 41,000

Polling

We commissioned a poll with SurveryUSA in April 2021 and asked registered voters in the state if they support or oppose the American Families United Act.

Not Sure	Strongly Oppose	Oppose	Neutral	Support	Strongly Support
8%	6%	3%	21%	26%	36%



New York

Impacted U.S. Citizens: 330,000

Personal Story

Susan Houmita, a graphic designer from Brooklyn, New York, has been pursuing a green card for her husband for 7 years. In August 2018, Susan's husband was detained after accidentally driving into Canada near Buffalo, NY. He has remained in custody for 2 years and 8 months, while they continue to appeal his deportation to Algeria.

Polling

We commissioned a poll with SurveryUSA in April 2021 and asked registered voters in the state if they support or oppose the American Families United Act.

Not Sure	Strongly Oppose	Oppose	Neutral	Support	Strongly Support
13%	3%	5%	29%	28%	21%



Ohio

Impacted U.S. Citizens: 58,000

Personal Story

Regina Cano, from Cincinnati, Ohio is struggling to pay her medical school debt while living in Mexico, since her husband cannot return to the U.S. upon receiving an immigration bar 8 years ago. She has left her family behind in Mexico on three separate occasions this past year to work in the U.S. on the front lines of the COVID-19 pandemic

Polling

We commissioned a poll with SurveyUSA in April 2021 and asked registered voters in the state if they support or oppose the American Families United Act.

Not Sure	Strongly Oppose	Oppose	Neutral	Support	Strongly Support
13%	5%	11%	11%	44%	15%



Pennsylvania

Impacted U.S. Citizens: 51,000

Personal Story

Stacy Rodriguez, housewife and entrepreneur from Union City, Pennsylvania, and her husband, a Mexican national, have been married for 11 years. Their family is facing long term separation related to immigration bars. They have 5 children ranging from 5-18 years old. Without her husband, the family faces financial, educational, medical, physical and emotional hardships. The future of their family- 6 U.S. citizens- depends on the passage of the American Families United Act.

Polling

We commissioned a poll with SurveryUSA in April 2021 and asked registered voters in the state if they support or oppose the American Families United Act.

Not Sure	Strongly Oppose	Oppose	Neutral	Support	Strongly Support
9%	8%	10%	22%	27%	24%



Texas

Impacted U.S. Citizens: 661,000

Personal Stories

Jennifer Alvarez, from Mckinney, Texas, met her husband while working as a restaurant manager. He was brought to the U.S. as a 15 year old boy. She is facing the probability of having to raise their 4 kids without a father due to immigration status. Her kids have an amazing, devoted father and they may miss out on his presence for the rest of their childhood.

Monica Logan, a resident of Houston, Texas, and her husband started a life together five years ago. She has chronic illnesses that require extensive care from specialized physicians. Monica is facing the harsh reality of being separated from her husband who provides the physical, emotional and financial support she needs or living in a country where her health will deteriorate due to lack of skilled medical personnel.

Beatrice Rodriguez, of Palacios, Texas, has been trying to fix her husband’s immigration status for 7 years. Beatrice has been raising her two daughters alone for over a year now, as her husband is in Mexico completing his 10-year ban. She faces daily emotional and financial struggles due to his absence.

Polling

We commissioned a poll with SurveryUSA in April 2021 and asked registered voters in the state if they support or oppose the American Families United Act.

Not Sure	Strongly Oppose	Oppose	Neutral	Support	Strongly Support
11%	3%	5%	26%	36%	18%



Washington

Impacted U.S. Citizens: 98,000

Personal Stories

Karen Colpo-Seguin, of Olympia, Washington, and her daughter live in the shadows because Karen’s spouse cannot get an inadmissibility waiver, due to a misdemeanor committed almost 40 years ago. Immigration judges could be the key to allowing families, like Karen’s, the opportunity to present their case and receive due process for the benefit of U.S. citizens.

Jill Carrillo, a public servant from Vancouver, Washington, and her husband have been married 15 years. She is facing the harsh reality that she may need to spend her senior years in poor health while in exile in another country in order to stay with her husband, who has been a constant companion to her through her own illness and her mother’s illness.

Polling

We commissioned a poll with SurveryUSA in April 2021 and asked registered voters in the state if they support or oppose the American Families United Act.

Not Sure	Strongly Oppose	Oppose	Neutral	Support	Strongly Support
4%	3%	2%	22%	37%	32%



Wisconsin

Impacted U.S. Citizens: 39,000

Personal Story

Lisa Lopez, from Milwaukee, Wisconsin, and her husband have been married for 10 years. Together they have an 8 year old son. Lisa started her husband’s paperwork process for his green card in 2011 before their son was born and soon found out that because of a mistake they made, he might not be able to get his green card. She’s terrified by the idea of living anywhere outside of the United States as a way to keep her family intact.

Polling

We commissioned a poll with SurveyUSA in April 2021 and asked registered voters in the state if they support or oppose the American Families United Act.

Not Sure	Strongly Oppose	Oppose	Neutral	Support	Strongly Support
6%	0%	3%	26%	33%	32%



United States of America

Impacted U.S. Citizens: 4 million

Personal Stories

Matthew Bryan is an executive at a Fortune 500 company. Originally from Cimarron, Kansas, he has been forced to live outside of the United States for 13 years because of his wife's inadmissibility. He has a great desire to return home to Kansas and raise his two children, who are U.S.citizens, on the family farmstead with his parents and siblings.

Krystal Loverin, a disabled Iraq veteran from Oregon, had to quit her government job to move her children to Mexico in order to keep her family together while her husband José applied for the I-601 waiver after their I-601A was erroneously denied.

Megan Gonzalez, a teacher from Burnsville, Minnesota, has lived separately from her husband of 16 months due to a permanent bar he faces.

Daniel Adam Dusbabek, from Brainerd, Minnesota, has had to live in Mexico for the last 13 years because of his wife's permanent bar and no available waiver. The 13 years in Mexico were preceded by 6 years of living apart and in different countries while working through the immigration process with no success.

Summer Holbrook, of Southaven, Mississippi, met her fiancé 6 years ago while on a mission trip to Peru. Ever since then, they have been working to get him to the United States. However, there is no opportunity for him to obtain a waiver for an administrative violation that has them lost in immigration.

Melissa Paciulan, a former Americorps National Service Program volunteer from Londonderry, New Hampshire, has been exiled from the USA since 2006 when her husband was wrongly accused of an oral false claim to citizenship. This accusation and permanent immigration bar has had severe, detrimental impacts on Melissa and her family and there was NO due process, discretion, or special consideration offered to them as American citizens.

Laura Araujo, from Manchester, Maryland, has been living in Mexico for 4 years. She had to make the difficult choice to move her family to another country in order to keep her family together after her husband was given a permanent immigration bar at his consular interview. Poor legal counsel about confusing and draconian immigration law led her to believe that her husband would be able to return with her to the U.S.and live their American Dream together. She often laments the opportunities her children are missing by not living in the U.S.

Liza DuPont lives with her husband and their two children in Atlanta, Georgia. Her efforts to obtain her husband's green card came to a dead end in 2014 when they were informed that her husband could be subject to a lifetime bar if he were to attend his visa interview at the Mexican Consulate. Until the law is changed, she lives in limbo and is hindered from achieving her full potential.

John Wright, from Oakland Park, Florida, married his husband in 2019 in Colombia, South America. His husband was denied an American Tourism Visa in 2019 after he married John. They plan to apply again for a visa in 2022 after being married for more than 2 years, but fear another denial.

Ana Ortiz, an essential worker from Morriston, Florida, and her husband have been married 6 years. She is facing the harsh reality that she may need to leave the U.S. with her three U.S. citizen daughters to join her husband in a country where sex trafficking is the norm. Ana fears her daughters becoming part of the statistics living in another country and faces her own PTSD from when she herself nearly became a victim of human trafficking at the age of 12 while living in Mexico. She and her husband should be building a safe future for their family in the US.

Chasidy Rosa Morales, of Summit Point, West Virginia married her husband 10 years ago. Her husband received a 5 year bar and has been separated from the family for 3 years. She and her husband have 2 biological children and 1 adopted child.

Amanda Fernandez Franco, a registered nurse from Jackson, Missouri, has been living in Mexico with her husband for 13 years. They are happily married and have three daughters, but they have no options for moving forward in their immigration process. She is separated from her family in the U.S. and she has not been able to return regularly to the U.S. to visit her family.

Lara Garcia, from Columbia, Maryland, and her husband have been together for 10 years and they have three children together. They have been working through the process of adjustment of status for 5 years and still face 2-3 more years of tireless waiting before her husband will be able to return to El Salvador for a consulate interview. Their eldest child suffers from severe anxiety due to the fear of being separated from her father. They want nothing more than to be free from the shadows, so they can give their children the life that they deserve.

Anna Alberto, a kindergarten teacher from Crystal, Minnesota, has been married to her husband for almost 8 years. Anna and her 7 year old son lived in Honduras for a year to be together as a family with her husband, but life there was filled with danger and insecurity. They made the hard decision to move back to the U.S., leaving her husband behind, only able to see him via the phone. Anna and her son are both American citizens and should not have to choose between living in the United States and being together as a family.

Lois McGuire, a retired nurse practitioner from Rochester, Minnesota, has been living away from her daughter and grandchildren for 3 years. Her daughter and son-in-law, a Mexican national, moved to Mexico to try to obtain legal U.S. citizenship for him. This entails at least a 10 year wait outside of the country. Now, Lois is missing out on precious time with her family.

Mary Mejia, from Rochester, Minnesota, and her husband have been married for 10 years and live in Mexico with their 2 children. They don't feel safe in Mexico, but have made the decision to stay in order to live together as a family. Mary and her 2 citizen children have been effectively exiled from living in the U.S., based on a legal immigration system that doesn't work for citizen petitioners of immigrant spouses.

Jennifer Rivera, a teacher from Rolesville, North Carolina, and her husband have been together for 15 years and have two U.S. citizen children. They started their immigration process 11 years ago, but have been unable to move forward without tearing their family apart for a minimum of 10 years, due to a permanent bar that her husband faces. Jennifer and her children live in fear every day that their lives could be torn apart at any moment.

Stacy Marcondes, an American citizen from Somerset, Massachusetts, married her Brazilian husband in 2008. However, due to his immigration status and the lack of an immigration policy favorable for American citizens, they have been living together in Brazil for the last 7 years. Leaving behind her family, friends, career, and culture has been an extremely difficult experience; one that could be permanent if unable to adjust his immigration status.

Polling

We commissioned a poll with SurveryUSA in April 2021 and asked registered voters across the United States if they support or oppose the American Families United Act.

1214 Registered Voters	U.S.	Gender		Age		Party Affiliation		
Credibility Interval: ± 3.5 pct points		Male	Female	18-49	50+	Rep	Dem	Ind
Strongly Support	23%	25%	21%	23%	23%	18%	28%	23%
Support	33%	35%	30%	30%	36%	32%	35%	31%
Neutral	24%	24%	24%	26%	21%	28%	20%	23%
Oppose	6%	7%	5%	5%	7%	8%	3%	8%
Strongly Oppose	4%	5%	4%	3%	6%	6%	3%	3%
Not Sure	10%	5%	15%	13%	7%	8%	10%	12%

About / Filtering: SurveyUSA interviewed 1,575 US adults 04/20/21 through 04/22/21, using sample provided by Lucid Holdings LLC of New Orleans. Of the adults, 1,214 were identified as being registered voters and were asked the substantive questions which follow. The pool of adult survey respondents was weighted to U.S. Census targets for gender, age, race, education, region, and home ownership. This research was conducted online.

QUESTION: “Another proposed law, the American Families United Act, would allow the U.S. citizen to request a case-by-case waiver for the non-citizen spouse and children for many of the reasons they ordinarily may be denied permission to live here. Judges and others authorized to hear immigration cases would not have the discretion to reunite families if the non-citizen is a national security threat or has a history of serious criminal activity.
Do you support or oppose the American Families United Act?”